

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-110-2010-120-CX

CASEFILE/PROJECT NUMBER: COC74417

PROJECT NAME: Verizon Wireless Equipment Shelter at CTF

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado  
T 2 S, R 97 W, Sec. 28, NW¼SW¼.

APPLICANT: Cellular Inc. Network Corporation

DESCRIPTION OF PROPOSED ACTION:

Cellular Inc. Network Corporation d/b/a Verizon Wireless (hereafter Verizon) proposes to construct an unmanned cellular facility on public land authorized in Exxon Mobil Corporation's right-of-way grant COC69157. The facility would include antennas mounted on Exxon Mobil's existing 148 foot tower located adjacent to the Central Treating Facility (CTF). Each antenna would be mounted on the tower with a tip height of 115 feet. Initially, only three 8 foot panel antennas per sector (set of five antennas) would be mounted on the tower. To allow for future growth of the system, two 4 foot panels would be added per sector. Ultimately, the total antenna count would be 15 (in three sectors). A 6 foot microwave dish would be mounted on the tower with a centerline of 30 feet. Verizon requests a 20 feet by 30 feet site within Exxon's existing fenced right-of-way (ROW). Verizon would place a prefabricated 12 feet by 26 feet equipment shelter and landing within the site with approximately 11 feet clearance from the existing tower. All of the electronics would be located within the prefabricated shelter. A diesel driven backup generator would be located within the shelter and diesel would be contained within a belly tank at the base of the generator.

Construction would take approximately 6 to 8 weeks (Monday-Friday, 8 am-5 pm). Temporary work areas would not be needed for construction. Verizon requests a 30 year lease. Verizon has negotiated a lease agreement with ExxonMobil for use of the site and the existing tower. This location has an existing access road and power.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-49 thru 2-52

Decision Language: “To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values.”

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number (E-12) “Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way”. None of the following exceptions in 516 DM 2, Appendix 2, apply.

The proposed action has been reviewed with the list of extraordinary circumstances described in the table below. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exception	YES	NO
1. Have significant adverse effects on public health and safety.		x
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		x
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		x
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		x
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		x
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		x
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the		x

Exception	YES	NO
bureau of office.		
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		x
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		x
10. Have a disproportionately high and adverse effect on low income or minority populations		x
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		x
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		x

#### INTERDISCIPLINARY REVIEW:

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on 03/22/2010.  
Date

A list of resource specialists who participated in this review is available upon request from the White River Field Office.

#### REMARKS:

*Cultural Resources:* The project area has been inventoried at the Class III (100% pedestrian) level and, according to 2009 NAIP imagery, is located in an area of prior surface disturbance (Brogan 2006 [06-54-02]). One isolated find was located and collected within 100m of the project area. No other cultural resources have been located in or near the project's area of potential effect. Visual impacts will not affect the "setting" characteristic (as put forth in 36 CFR 800.5) of any eligible site in the vicinity, as these impacts do not differ substantially from those of the established facilities. (GLH 3/23/2010)

*Native American Religious Concerns:* No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (GLH 3/23/2010)

*Paleontological Resources:* The project area overlies the Uinta Formation, a PFYC 5 formation known to produce scientifically significant fossils of Eocene mammals (titanotheres, uintatheres,

miacid carnivores, possibly others), reptiles (turtles and crocodilians), fish (vertebrae, spines, and scales, likely including *Lepisosteidae*), gastropods (high-spired and turritellid snails), insect larvae, and plants (leaves, wood, algae, etc.) (Tweto 1979; Armstrong and Wolny 1989). If excavations into the underlying formation (native sedimentary rock) are required in the construction of foundations, such excavations must be monitored by an approved paleontologist (see Mitigation below). (GLH 3/23/2010)

*Threatened and Endangered Wildlife Species:* There are no listed, proposed, or candidate animals known to inhabit or derive important benefit from the project area. The proposed project site lies immediately adjacent to an existing industrial area and there would be no further involvement of habitat that could support animals considered BLM-sensitive (e.g., Brewer's sparrow) or meriting heightened management attention (e.g., raptors). The aerial aspects of the proposed action would be confined to an existing free-standing (i.e., unguyed) tower facility that is not lighted in any manner. Proposed installation of this equipment may be expected to increase the nocturnal visibility of the tower and reduce the potential for bird strikes. (EH 5/6/2010)

*Threatened and Endangered Plant Species:* No concerns. (MM 4/12/2010)

**MITIGATION:** The communications use lease will be a new right-of-way grant, therefore the following terms and conditions will apply:

1. The holder shall monitor the project area for the life of the project and eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer.
2. The holder shall promptly reclaim all disturbed areas not needed for operation with Native Seed Mix #3 to the satisfaction of the Authorized Officer and will use seed that is certified and free of noxious weeds.

Native Seed Mix # 3	
Plant Species	PLS/Lb
Western wheatgrass (Rosana)	2
Bluebunch wheatgrass ( Whitmar)	2
Needle and thread	1
Indian ricegrass (Rimrock)	2
Fourwing saltbush (Wytana)	1
Utah sweetvetch	1

\*Seeding rates in the White River ROD/RMP and proposed table are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding. For broadcast application, double the seeding rate and then harrow or rake into the soil surface to insure seed coverage.

3. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately

contact the Authorized Officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear to be of noteworthy scientific interest
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)

If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required.

Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

4. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the Authorized Officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required.

Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

5. If it becomes necessary to excavate into the underlying formation (native sedimentary rock) to construct building foundations or other features (excepting post holes), such excavations must be monitored by an approved paleontologist. Where excavations are expected to impact the underlying formation, the monitoring paleontologist must be present before the start of these excavations.
6. All permanent (onsite for six months or longer) structures, facilities and equipment placed above ground shall be painted Standard Environmental Colors Chart Juniper Green or equivalent within six months of installation.
7. The holder shall post the authorization number COC74417, the name, and phone number of the holder in an exterior location visible to the entrance of the building.

8. The site shall be maintained in a sanitary condition at all times; waste materials at the site shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
9. The holder must provide documentation that appropriate Federal Communications Commission (FCC) permitting has been approved. The holder shall at all times operate its radio-electronic equipment in such a manner as not to cause interference with radio-electronic operations of existing users in the vicinity. If such interference results from holder's operations, holder will promptly, at its own expense, modify its equipment and operations, or shut down if necessary, to eliminate or reduce the interference to the satisfaction of the FCC and/or the BLM.
10. This right-of-way shall terminate 60 days after expiration or cancellation of the FCC license unless renewal is obtained within this period and a copy of such renewal is furnished to the authorized officer.
11. For the purpose of determining joint maintenance responsibilities, the holder shall make road use plans known to all other authorized users of the communication site road. Failure of holder to share proportionate maintenance costs on the common use access road in dollars, equipment, materials, or manpower with other authorized users may be adequate grounds to terminate the right-of-way grant. The determination as to whether this has occurred and the decision to terminate shall rest with the Authorized Officer. Upon request, the Authorized Officer shall be provided with copies of any maintenance agreement entered into.
12. Three months prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures or surface material, recontouring, topsoiling, and seeding (as applies to this action). The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
13. There will be no additional surface disturbance, and the facility will be placed within the existing Exxon Mobil Corporation right-of-way COC69157.
14. The holder shall at all times keep the BLM WRFO informed of his address, and, in the case of corporations, the address of its principal place of business and the names and addresses of its principal officers.
15. All activities shall comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, effectively coordinating with existing facility ROW holders, and implementing all applicable mitigation measures required by

each permit. Construction and use of the facilities must not negatively impact existing facilities.

REFERENCES CITED:

Armstrong, Harley J. and David G. Wolny

1989 *Paleontological Resources of Northwest Colorado: A Regional Analysis*. Museum of Western Colorado, Grand Junction, Colorado.

Brogan, John

2006 *Exxon-Mobil Corporation's Proposed Piceance Tight Gas Project (Phase I) Class III Cultural Resource Inventory in Rio Blanco County, Colorado*. Metcalf Archaeological Consultants, Eagle, Colorado.

Tweto, Ogden

1979 *Geologic Map of Colorado*. United States Geologic Survey, Department of the Interior, Reston, Virginia.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The holder will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Kristin Bowen

DECISION AND RATIONALE: I have reviewed this CX and have decided to approve the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:



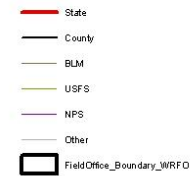
Field Manager

DATE SIGNED: 10/1/10



# Verizon Wireless Equipment Shelter T. 2 S., R. 97 W., sec. 28

## EXHIBIT A



Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the act of distribution constitute or imply any such warranty.



March 2010

